

EXHIBIT A

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF OLMSTED

THIRD JUDICIAL DISTRICT

Jayson P. Scott,

Case Type: Employment

Court File No.: _____

Plaintiff,

v.

SUMMONS

TG Administration LLC,

Defendant.

THE STATE OF MINNESOTA TO THE ABOVE NAMED DEFENDANT(S):

1. **YOU ARE BEING SUED.** The Plaintiff has started a lawsuit against you. The Plaintiff's Complaint against you is attached to this Summons. Do not throw these papers away. They are official papers that affect your rights. You must respond to this lawsuit even though it may not yet be filed with the Court and there may be no Court file number on this Summons.
2. **YOU MUST REPLY WITHIN 21 DAYS TO PROTECT YOUR RIGHTS.** You must give or mail to the person who signed this Summons a **written response** called an Answer within 21 days of the date on which you received this Summons. You must send a copy of your Answer to the person who signed this Summons located at Ahlberg Law, PLLC, 333 Washington Avenue North, Suite 300, Minneapolis, Minnesota, 55401.
3. **YOU MUST RESPOND TO EACH CLAIM.** The Answer is your written response to the Plaintiff's Complaint. In your Answer you must state whether you agree or disagree with each paragraph of the Complaint. If you believe the Plaintiff should not be given everything asked for in the Complaint, you must say so in your Answer.
4. **YOU WILL LOSE YOUR CASE IF YOU DO NOT SEND A WRITTEN RESPONSE TO THE COMPLAINT TO THE PERSON WHO SIGNED THIS SUMMONS.** If you do not Answer within 21 days, you will lose this case. You will not get to tell your side of the story, and the Court may decide against you and award the Plaintiff everything asked for in the Complaint. If you do not want to contest the claims stated in the Complaint, you do not need to respond. A Default Judgment can then be

entered against you for the relief requested in the Complaint.

5. **LEGAL ASSISTANCE.** You may wish to get legal help from a lawyer. If you do not have a lawyer, the Court Administrator may have information about places where you can get legal assistance. **Even if you cannot get legal help, you must still provide a written Answer to protect your rights or you may lose the case.**

6. **ALTERNATIVE DISPUTE RESOLUTION.** The parties may agree to or be ordered to participate in an alternative dispute resolution process under Rule 114 of the Minnesota General Rules of Practice. You must still send your written response to the Complaint even if you expect to use alternative means of resolving this dispute.

Dated: April 27, 2023

AHLBERG LAW, PLLC

/s/ Ryan H. Ahlberg

Ryan H. Ahlberg (#0386520)
Union Plaza Building, Suite 300
333 Washington Avenue North
Minneapolis, Minnesota 55401
(612) 900-2269
rahlberg@ahlberglaw.com
Attorney for Plaintiff

ACKNOWLEDGEMENT

The undersigned acknowledges that pursuant to Minn. Stat. § 549.211 sanctions may be awarded by the Court for violation of said section.

Dated: April 27, 2023

/s/ Ryan H. Ahlberg

Ryan H. Ahlberg (#0386520)

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF OLMSTED

THIRD JUDICIAL DISTRICT

Jayson P. Scott,

Case Type: Employment

Court File No.: _____

Plaintiff,

v.

COMPLAINT

TG Administration LLC,

Defendant.

Plaintiff Jayson P. Scott as and for his Complaint against Defendant TG Administration LLC, states and alleges as follows:

PARTIES, JURISDICTION, AND VENUE

1. Plaintiff Jayson P. Scott (hereinafter, "Scott") is an individual residing in Olmsted County, Minnesota.
2. Defendant TG Administration LLC (hereinafter "TG") is a foreign limited liability company with significant business contacts in the State of Minnesota and maintains a registered office located at 1010 Dale Street North, Saint Paul, MN 55117.
3. Jurisdiction is proper pursuant to (29 U.S.C. § 2617(a)(2)) and Minn. Stat. § 543.19.
4. Venue is proper pursuant to Minn. Stat. § 542.09.

FACTUAL ALLEGATIONS

5. Scott worked for TG at Somerby Golf Club located in Bryon, Minnesota.
6. In 2022, Scott earned \$63,359 in wages.
7. On March 8, 2023, Scott went on Family Medical Leave Act (hereinafter, "FMLA") leave for emergency open heart surgery.
8. Scott's condition is a serious medical condition as that term is defined by the FMLA and Scott was an eligible employee under the FMLA.
9. On April 15, 2023, Scott received a telephone call from his general manager stating his position had been terminated.
10. Upon information and belief, Scott's position had not been terminated but was given to another employee. Additionally, TG has been hiring employees to work at Somerby.
11. As a direct and/or proximate result of TG's conduct, Scott has suffered damages, including but not limited to economic damages, other compensatory damages, liquidated damages, cost of suit, and attorney's fees.

CAUSE OF ACTION I FMLA Entitlement (29 U.S.C. § 2615(a)(1))

12. Paragraphs 1 through 11 are incorporated herein by reference.
13. An FMLA entitlement claim arises when an employer denies a benefit to which an employee is entitled under the FMLA. *Pulczynski v. Trinity Structural Towers, Inc.*,

691 F.3d 996, 1005 (8th Cir. 2012).

14. Scott is entitled to all of the rights, benefits, and protections of the FMLA.
15. TG denied Scott these rights, benefits, and protections by terminating him.
16. As a direct and/or proximate cause of TG's conduct, Scott has been damaged in excess of \$50,000.00 to be proved with further specificity at trial, and additionally seeks civil penalties and injunctive relief as allowed by statute.

**CAUSE OF ACTION II
FMLA Discrimination
(29 U.S.C. § 2615(a)(1))**

17. Paragraphs 1 through 16 are incorporated herein by reference.
18. An FMLA discrimination claim arises when an employer takes adverse action against an employee because the employee exercises rights to which he is entitled under the FMLA. *Pulczynski v. Trinity Structural Towers, Inc.*, 691 F.3d 996, 1006 (8th Cir. 2012).
19. Scott engaged in statutorily-protected conduct and exercised rights to which he was entitled under the FMLA when he took leave.
20. TG discriminated against Scott by terminating his employment.
21. As a direct and/or proximate cause of TG's conduct, Scott has been damaged in excess of \$50,000.00 to be proved with further specificity at trial, and additionally seeks civil penalties and injunctive relief as allowed by statute.

WHEREFORE, Scott requests a **JURY TRIAL** on his claims and judgment

against TG as follows:

1. As to Cause of Action I, for judgment in favor of Scott in an amount greater than \$50,000.00 to be proved with further specificity at trial, and; for an order granting any other appropriate legal or equitable relief pursuant to statute.
2. As to Cause of Action II, for judgment in favor of Scott in an amount greater than \$50,000.00 to be proved with further specificity at trial, and; for an order granting any other appropriate legal or equitable relief pursuant to statute.
3. For Scott's costs, disbursements and attorney's fees incurred herein; and
4. For such other and further relief as the Court deems just and equitable.

Dated: April 27, 2023

AHLBERG LAW, PLLC

/s/ Ryan H. Ahlberg
Ryan H. Ahlberg (#0386520)
Union Plaza Building, Suite 300
333 Washington Avenue North
Minneapolis, Minnesota 55401
(612) 900-2269
rahlberg@ahlberglaw.com
Attorney for Plaintiff

ACKNOWLEDGEMENT

The undersigned acknowledges that pursuant to Minn. Stat. § 549.211 sanctions may be awarded by the Court for violation of said section.

Dated: April 27, 2023

/s/ Ryan H. Ahlberg
Ryan H. Ahlberg (#0386520)